

REMARKS

Claims 76-91 are now pending in this application. These claims are similar to the claims last-pending in the parent application (09/523,342). In the '342 application, an Office Action was mailed May 1, 2003, addressed to then-pending claims 76-90. In order to advance prosecution of the present application, applicant respectfully submits the following remarks regarding that Office Action.

The Office Action states that applicant did not comply (in the '342 application) with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. § 120. Specifically, the Office Action alleges that applicant is not entitled to the benefit of the earlier filing date because 37 CFR 1.78(a)(2) and (a)(5) require the first sentence of the specification (or an application data sheet) to include the claim of priority.

Applicant respectfully submits that the Office Action is mistaken, and refers the Patent Office to MPEP 201.11(III)(D) and (E). The '342 application contained the proper claim of priority in both the declaration and the transmittal letter, and the Patent Office recognized that claim of priority on the Filing Receipt. Therefore, pursuant to MPEP 201.11(III)(E), the Office Action should not have alleged a loss of priority, but instead should have included form paragraphs 2.15 or 2.16, which merely call attention to the need to amend the specification. In any event, the present specification has been amended (see above, in this Preliminary Amendment) to include the proper cross reference to related applications.

The Office Action objected to many of then-pending claims 76-90 because of alleged informalities and § 112 problems. The present claims 76-91 are believed to lack the alleged problems discussed in the Office Action.

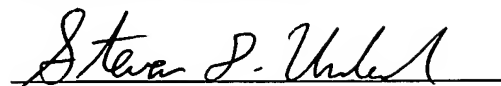
Then-pending claims 76-90 were rejected in the Office Action over U.S. Patent No. 6,098,064, to Pirolli et al. Applicant respectfully notes that Pirolli has a priority date of May 22, 1998, while the present application has a priority date of July 25, 1997. I.e., Pirolli is not prior art.

In light of the above, all pending claims are believed to be allowable, and a prompt Notice of Allowance would be appreciated.

If any fee is due for this Preliminary Amendment, please charge that fee to Deposit Account No. 50-0310.

Dated: July 16, 2004

Respectfully submitted,

A handwritten signature in cursive script, reading "Steven D. Underwood", is written over a horizontal line.

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